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15 UNITED STATES OF AMERICA

16 UNITED STATES DISTRICT COURT

17 FOR THE CENTRAL DISTRICT OF CALIFORNIA

18 UNITED STATES OF  
19 AMERICA,

20 Plaintiff,

21 v.

22 ARLAN WESLEY HARRELL, et  
23 al.,

24 Defendants.

No. CR 17-404(B)-AB-1

FACTUAL BASIS IN SUPPORT  
OF DEFENDANT HARRELL'S  
PLEA

25 Plaintiff United States of America, by and through its  
26 counsel of record, the United States Attorney for the Central  
27 District of California and Assistant United States Attorneys  
28

1 Devon Myers and Kim Meyer, and defendant ARLAN WESLEY HARRELL,  
2 both individually and by and through his counsel of record,  
3 Deputy Federal Public Defender Kim Savo, agree that the  
4 following facts are true and correct and that if Harrell had  
5 proceeded to trial, the United States would have proven them  
6 beyond a reasonable doubt with admissible and reliable  
7 evidence:

8 As to Count 1, HARRELL (a/k/a "soole," "fritters,"  
9 "kronos," and "the dread king") was a member of "Website A,"  
10 which was an Internet-based, members-only bulletin board  
11 dedicated to the production, advertisement, transportation,  
12 receipt, distribution, and possession of child pornography  
13 depicting children five years old or younger. HARRELL admits  
14 that he was a member of Website A and that he made posts under  
15 the username "Soole." When HARRELL was a member, Website A  
16 had over one thousand members. Its members used screen names  
17 to mask their identities, followed security rules regarding  
18 remaining anonymous, and needed to use a network that masked  
19 each member's Internet Protocol address.

20 Members could make "posts" to Website A that often  
21 included child pornography images and videos and links to  
22 child pornography. Members could make these posts in  
23 different sections of Website A that were dedicated to child  
24 pornography depicting children of certain ages and genders.  
25 Website A also allowed members to ascend to certain "ranks"  
26 based on the extent of that member's participation in Website  
27 A, including the amount of child pornography the member shared  
28 over the website.

1 HARRELL joined Website A on approximately February 12,  
2 2016 and made approximately 155 posts to other Website A  
3 users. For example, acting in concert with co-defendant, John  
4 Richard Brinson, and other members of Website A, HARRELL made  
5 posts on Website A on November 3, 2016 of Minor 14, January  
6 12, 2017 of Minor 5, and April 15, 2017 of Minor 6, each of  
7 which constituted visual depictions of child pornography, the  
8 production of which involved the use of the minor engaging in  
9 sexually explicit conduct. Defendant Harrell knowingly posted  
10 and advertised said visual depictions seeking and offering to  
11 receive in exchange other visual depictions of minors engaged  
12 in sexually explicit conduct. Defendant Harrell posted said  
13 visual depictions on Website A using his computer, a means and  
14 facility of interstate commerce and in and affecting  
15 interstate commerce.

16 As to Count 2, on or about September 24, 2016, HARRELL  
17 took custody and control of Minor Victim 11 and transported  
18 him to Brinson's residence for the purpose of producing child  
19 pornography. While in HARRELL's custody, HARRELL and Brinson  
20 created images of Minor Victim 11, which constituted visual  
21 depictions of Minor 11 engaged in sexually explicit conduct.  
22 HARRELL's offer to obtain custody of Minor Victim 11 was  
23 communicated using a cellular telephone network, i.e., a means  
24 or facility of interstate commerce.

25 As to Counts 3 through 5, between approximately September  
26 24, 2016 and May 28, 2017, HARRELL and Brinson, each assisting  
27 the other, created images and/or videos of Minor Victims 3,  
28 11, and 12, which depicted lascivious displays of the genitals

1 of those minors or those minors engaged in sexually explicit  
2 conduct. Each image or video was produced or transmitted  
3 using materials that were manufactured outside of California.

4 As to Counts 7 through 20, between approximately 2013 and  
5 May 28, 2017, HARRELL created images and/or videos of Minor  
6 Victims 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, and 20,  
7 each of which depicted the lascivious display of the genitals  
8 of those minors or those minors engaged in sexually explicit  
9 conduct. Each image or video was produced or transmitted  
10 using materials that were manufactured outside of California.

11 As to Counts 21 through 23, on approximately May 19,  
12 2017, HARRELL created images and/or videos of Minor Victims  
13 21, 22, and 23, which depicted the lascivious display of the  
14 genitals of each of those minors. Each image or video was  
15 produced or transmitted using materials that were manufactured  
16 outside of California.

17 As to Count 24, on approximately May 28, 2017, HARRELL  
18 possessed at least one electronic device that contained images  
19 and videos of minors, including minors who were under 12 years  
20 old who are not Minor Victims 3 or 5-23, that depict the  
21 lascivious display of the minors' genitals. These images were  
22 produced using materials that had been transported across a  
23 state line into California and/or had been transmitted via the  
24 internet, i.e., a means or facility of interstate commerce.

25 All of HARRELL's offenses described above took place in  
26 whole or in part within the Central District of California.  
27 He took these actions knowingly and deliberately and not by  
28 mistake or accident.

Dated: XXX, 2021

Respectfully submitted,

TRACY WILKISON  
Acting United States Attorney

CHRISTOPHER D. GRIGG  
Assistant United States  
Attorney  
Chief, National Security  
Division

/s/  
\_\_\_\_\_  
DEVON MYERS  
Assistant United States  
Attorney

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

1 I am ARLAN WESLEY HARRELL's attorney. I have carefully  
2 reviewed the facts set forth above with him. To my knowledge,  
3 his decision to stipulate to these facts is an informed and  
4 voluntary one.

5  
6  
7 KIM SAVO,  
8 Deputy Federal Public  
9 Defender  
10 Attorney for Defendant  
11 ARLAN WESLEY HARRELL

\_\_\_\_\_  
Date

12 After consulting with my attorney, I hereby stipulate  
13 that I have reviewed the facts set forth above, they are true  
14 and accurate, and if this case had proceeded to trial, the  
15 United States would have proven them beyond a reasonable  
16 doubt.

17  
18 ARLAN WESLEY HARRELL

\_\_\_\_\_  
Date